IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION

IN RE:	)	Bankruptcy Case No. 09-40314
	)	Chapter 11
DONALD YELTON and	)	
JOAN YELTON,	)	
	)	
Debtors.	)	

**MOTION TO APPOINT JOHN C. HENSELY, JR., P.C.
AS SPECIAL COUNSEL FOR THE TRUSTEE**

The Trustee, Robert C. Barnett, Jr., pursuant to Bankruptcy Code Section 11 U.S.C. Section 327 and Bankruptcy Rule 2014, respectfully moves the Court to appoint John C. Hensley, Jr., P.C. as Special Counsel to the Trustee and in support thereof states as follows:

1.   The Movant is the duly appointed and acting Chapter 11 Trustee in the above captioned bankruptcy case.

2.   The Movant desires to retain the services of the law firm of John C. Hensley, Jr., P.C., to perform necessary legal services for the Trustee to pursue a legal malpractice claim on behalf of the estate.

3.   The law firm of John C. Hensley, Jr., P.C. has the appropriate skills and resources needed to perform the legal services required by the bankruptcy estate.

4.   The Movant proposes to compensate the law firm of John C. Hensley, Jr., P.C. for its services on a contingency fee basis. A true and accurate copy of the proposed fee agreement is attached hereto as Exhibit A.

5.   The law firm of John C. Hensley, Jr., P.C. does not have an interest adverse to the bankruptcy estate in regard to the matters for which it is to be employed, and it is a disinterested person within the meaning of 11 U.S.C. § 101(14).

6.   The Movant believes that it is in the best interest of the bankruptcy estate that John C. Hensley, Jr., P.C. be appointed as special counsel for the purposes set forth above.

WHEREFORE, the Movant respectfully prays the Court that the law firm of John C. Hensley, Jr.,

P.C. be appointed as special counsel for the Trustee as set forth above.

DATED this 5th day of April, 2011

/s/ Stephanie E. Richmond
Stephanie E. Richmond, Bar No. 40732
Attorney for Trustee
John W. Taylor, P.C.
4600 Park Road, Suite 420
Charlotte, NC 28209
(704) 540-3622